

Entered - 02/28/00 - sb
CL00L0099 - DIANNE C. MITCHELL

CLAIM OF: JAMES L. AND ARELIS A. DAVIS

1271 Springhouse Lane, SW
Atlanta, Georgia 30311

For damages alleged to have been sustained as a
result of a vehicular accident on February 12,
2000 at 2834 Cascade Road, SW.

BY PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of
Atlanta that the action of the Department of Law
be approved in authorizing payment to JAMES L.
AND ARELIS A. DAVIS the sum of \$1,000.00
in full settlement and satisfaction of all claims,
past, present and future, of every kind and
character for damages alleged to have been
sustained as a result of a vehicular accident on
February 12, 2000 at 2834 Cascade Road, SW as
is more particularly set forth in the within claim;
said sum taken from and charged to account
1A01/529017/T31001, Settlement of Suits and
Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADOPTED BY

SEP 18 2000

COUNCIL

FAVORABLE REPORT
COM. *Public Safety*
DATE *9/18/00*
CHM. *C. T. Moore*
Michael S. Bond

Susan Seal

John J. ...
John J. ...
John J. ...

CERTIFIED
SEP 18 2000

CERTIFIED
SEP 18 2000
Rosalind Rubens Newell
MUNICIPAL CLERK

APPROVED
SEP 27 2000
WITHOUT SIGNATURE
BY OPERATION OF LAW



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

00-R-1352

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **James L. & Arelis A. Davis** in the sum of **\$1000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of **a vehicular accident on February 12, 2000 at 2834 Cascade Road, SW** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,


Deputy Municipal Clerk

**ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403**

September 18, 2000

September 27, 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0099

Date: August 29, 2000

Claimant /Victim JAMES L. AND ARELIS A. DAVIS

BY: (Atty) _____

Address: 1271 Springhouse Lane, SW, Atlanta, Georgia 30311

Subrogation: _____ Claim for Property damage \$ 4,200.00 Bodily Injury \$ _____

Date of Notice: 02/24/00 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 02/12/00 Place: 2834 Cascade Road, SW

Department PRCA Division: _____

Employee involved Ross Fleming Disciplinary Action: Written/Verbal Reprimands

NATURE OF CLAIM: The driver of the City vehicle backed into the claimants' parked vehicle causing damages in the above amount.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police X Dept Report X Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement X

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,



INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 1,000.00 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 08-29-00

Committee Action: _____ Council Action _____

Reeves
02/24/00
Dr

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 2-21-2000

ENTERED - 2-28-00 - SB
00L0099 - MIKE REEVES

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 4,200.00 property and/or \$ N/A bodily injury for which I contend the City is liable.

1. Date of incident: 2-12-00
(month/day/ year)
2. Police called: XXX
Yes No
3. Location of incident: 2834 Cascade Road, SW Atlanta, Georgia
4. Name of your insurance company: Geico Policy No. 241-50-65
5. State what and how incident occurred: Young man purposely appeared to back into the car.

6. **ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!**

7. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle:	<u>Mercedes</u>	<u>1983</u>	<u>1AN7176</u>	<u>Nicole Davis</u>
	(make)	(year)	(tag number)	(driver's name)
City vehicle:	<u>Chev</u>	<u>Ross Fleming</u>	<u>City of Atlanta-Parks &</u>	
	(make)	(City driver's name)	(department/bureau)	Recreation

8. Witness: _____
(name) (address) (telephone number)

9. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employees.

10. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Melvin L. Hay
M. Hay

James L. Davis / *James L. Davis*
(claimant's name)
1271 Springhouse Lane, SW
(address)
Atlanta, Georgia 30311
(city and state)
404-827-9707/9709 404-758-3383
(work number) (home number)

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 00L0099

\$ 1,00.00

IN CONSIDERATION of the sum of ONE THOUSAND AND NO/100
 DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever
discharge said City, its officers and employees, including but not limited to Ross Flemming, from any and all
claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or
on account of anything that has heretofore occurred, and particularly for or on account of a vehicular accident
which occurred on or about the 12th day of February, 2000,

at or near 2834 Cascade Road, SW

It is further understood and agreed that the payment of the above named sum is not to be considered as an
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this
instrument.

WITNESS my hand and seal this 24 day of August, 2000.

James L. Davis (LS)
JAMES L. DAVIS

Areli A. Davis (LS)
ARELIS A. DAVIS

The above release was read and explained to, and signed by the said JAMES L DAVIS

AND ARELIS A DAVIS in our presence on the date above written.

Walter Ch...

Witnesses

RCS# 2218
9/18/00
2:15 PM

Atlanta City Council

Regular Session

CONSENT

PAGES: 1-19

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	NV Woolard	B Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-R-1321
00-R-1322
00-R-1388
00-O-1435

CORRECTED COPY

CONSENT

		09/18/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA		ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1234 2. 00-O-1007 3. 00-O-1015 4. 00-O-1427 5. 00-O-1429 6. 00-O-1432 7. 00-R-1387 8. 00-R-1392 9. 00-R-1395 10. 00-R-1452 11. 00-R-1340 12. 00-R-1323 13. 00-R-1433 14. 00-R-0560 15. 00-R-0561 16. 00-R-1454 17. 00-R-1299 18. 00-R-1308 19. 00-R-1334 20. 00-R-1335 21. 00-R-1338 22. 00-R-1394 23. 00-R-1331 24. 00-R-1330 25. 00-R-1332 26. 00-R-1333 27. 00-R-1337 28. 00-R-1339 29. 00-R-1419 30. 00-R-1426 31. 00-R-1342 32. 00-R-1343 33. 00-R-1344 34. 00-R-1345 35. 00-R-1346 36. 00-R-1347 37. 00-R-1348 38. 00-R-1349 39. 00-R-1350 40. 00-R-1351	41. 00-R-1352 42. 00-R-1353 43. 00-R-1397 44. 00-R-1398 45. 00-R-1399 46. 00-R-1400 47. 00-R-1401 48. 00-R-1402 49. 00-R-1403 50. 00-R-1404	51. 00-R-1357 52. 00-R-1358 53. 00-R-1359 54. 00-R-1360 55. 00-R-1362 56. 00-R-1363 57. 00-R-1364 58. 00-R-1365 59. 00-R-1366 60. 00-R-1367 61. 00-R-1368 62. 00-R-1369 63. 00-R-1370 64. 00-R-1371 65. 00-R-1372 66. 00-R-1373 67. 00-R-1374 68. 00-R-1375 69. 00-R-1376 70. 00-R-1377 71. 00-R-1378 72. 00-R-1379 73. 00-R-1380 74. 00-R-1381 75. 00-R-1382 76. 00-R-1383 77. 00-R-1384 78. 00-R-1385 79. 00-R-1386 80. 00-R-1405 81. 00-R-1406 82. 00-R-1407 83. 00-R-1408 84. 00-R-1409 85. 00-R-1410 86. 00-R-1411 87. 00-R-1412 88. 00-R-1413